

City of Mississauga Department Comments

Date Finalized: 2022-09-07	File(s): A414.22
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2022-09-15 1:00:00 PM

Consolidated Recommendation

The City recommends that the Committee have regard for all comments and evidence provided by the applicant and area residents when assessing if the application, as requested, meets the requirements of Section 45(1) of the Planning Act.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of an addition proposing a building depth of 22.1m (approx. 72.51ft) whereas By-law 0225-2007, as amended, permits a maximum building depth of 20m (approx. 65.62ft) in this instance.

Background

Property Address: 1578 Old Spar Crt

Mississauga Official Plan

Character Area: Clarkson – Lorne Park Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R2-4 - Residential

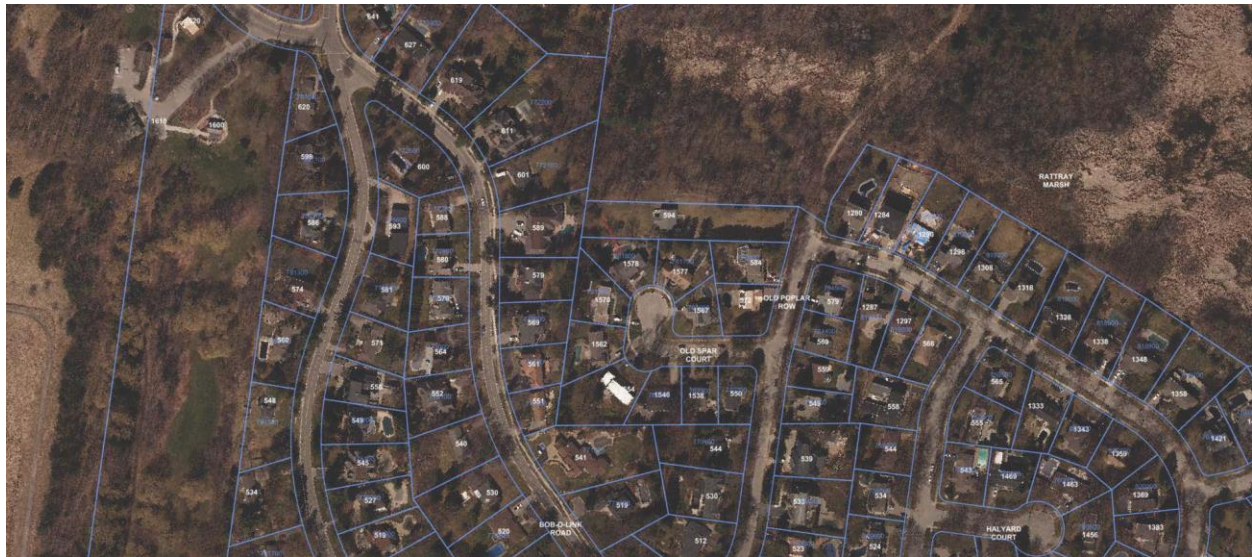
Other Applications: PREAPP 22-2356

Site and Area Context

The subject property is located in the Clarkson-Lorne Park Neighbourhood Character Area, southeast of the Lakeshore Road West and Clarkson Road South intersection. The immediate

neighbourhood contains a mix of older and newer one and two-storey detached dwellings with mature vegetation in the front yards. The subject property contains a two-storey detached dwelling with mature vegetation in the front yard.

The applicant is proposing an addition requiring a variance for dwelling depth.



Comments

Planning

Section 45 of the *Planning Act* provides the Committee of Adjustment with the authority to grant relief from the requirements of a municipal zoning by-law. Approval of applications must meet the requirements set out under 45(1) and/or 45(2) (a) or (b) in the *Planning Act*.

Staff comments concerning the application are as follows:

The subject property is designated Residential Low Density I in the Mississauga Official Plan (MOP), which permits detached, semi-detached and duplex dwellings.

The applicant is requesting a variance for a dwelling depth of 22.10m (72.51ft), where a maximum dwelling depth of 20.00m (65.62ft) is permitted. The intent of the zoning provisions for dwelling depth are to minimize impacts of long walls on neighbouring lots as a direct result of the dwelling's massing. The subject property is located at the terminus of a court, on a wedge shape lot with a curved frontage. Due to the lot's irregular shape, the setbacks to the existing dwelling increase as you move further into the lot toward the rear yard. Therefore, a majority of the existing dwelling is closer to the lot line than the proposed addition, lessening its impact on the abutting property to the west.

Furthermore, the proposed addition is only one-storey in height. The rest of the existing dwelling is two-storeys. Therefore, the addition will not appear as one continuous wall being added to the existing dwelling.

Lastly, staff note the significant presence of existing vegetation on both the subject property and abutting property to the west along the westerly lot line, which provides for additional screening.

Through a detailed review of the application, staff are of the opinion that the application is appropriate to be handled through the minor variance process. Further, the application raises no concerns of a planning nature.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed rear addition will be addressed by our Development Construction Section through the future Building Permit/Site Plan approval process.



Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Preliminary Zoning Review application under file PREAPP 22-2356. Based on review of the information currently available in this permit application, the variance, as requested is correct.

Please note that comments reflect those provided through the above permit application and should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the application file noted above, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedures, separately through the application process in order to receive updated comments.

Comments Prepared by: Alana Zheng, Zoning Examiner

Appendix 3 – Enbridge

Based on a review of the project materials provided, the proposed addition of a screened porch is not proposing any new crossings or ground disturbance within the prescribed area of the pipeline. Therefore, **Enbridge has expressed no objections to this project as proposed.**

Although Enbridge has expressed no objections to the proposed application at this time, the pipeline is located less than 200 meters away and therefore, all the requirements detailed below and within **Attachment 02 | Enbridge Development Requirements** must be adhered to for all future development.

Requirements

- 1) **Obtain a Locate Request:** To identify the precise alignment of the pipeline on the project lands, a Locate Request must be made prior to any ground disturbance taking place.

Notifications@ Enbridge.com

Enbridge

10175 101 St NW

Edmonton, Alberta T5J 0H3 Canada

- 2) **No development is permitted within the Enbridge right-of-way** without Enbridge's written consent and without the presence of an Enbridge representative on site.
- 3) **Written consent** must be obtained from Enbridge for ongoing activities such as mowing or maintenance of the pipeline right-of-way on public lands.
- 4) **Notifications of additional development for Class monitoring:** As per Federal and Provincial Regulatory Requirements and Standards, pipeline operators are required to monitor all new development in the vicinity of their pipelines that results in an increase in population or employment. Therefore, please keep us informed of any additional development being proposed within the Pipeline Assessment Area indicated in **Attachment 01 | Approximate Location of Pipeline Infrastructure.**

The above requirements are those identified as relevant based on the application materials provided. Additional detail on these requirements and other general development requirements are included in **Attachment 02 | Enbridge Development Requirements**. For additional resources on safe development in proximity of Enbridge's

pipeline network please view [Enbridge's Public Awareness Brochures](#) or visit the [Land Use Planning and Development website](#).

Please continue to keep us informed about the outcome of the project and any future policy, land use, subdivision, and development activities in proximity to Enbridge's pipelines and facilities. All future project notifications should be sent to notifications@Enbridge.com, while questions about the details of this letter may be sent to the contact listed below. Thanks again for providing us with the opportunity to provide comments on this project and we look forward to working with you in the future.

Comments Prepared by: Tokini Kiki Briggs, Damage Prevention Specialist

Appendix 4 – Region of Peel

Please be advised that the subject property is located within the limits of the regulated area of the Credit Valley Conservation (CVC).

The Region relies on the environmental expertise of the CVC for the review of development applications located within or adjacent to this regulated area in Peel and their potential impacts on the natural environment. Regional Planning staff therefore, request that the Committee and city staff consider comments from the CVC and incorporate their conditions of approval appropriately.

Comments Prepared by: Daniel O'Connor, Development Engineering